

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CYMEYON HILL,

Plaintiff,

v.

HER, et al.,

Defendants.

No. 2:22-cv-1849 KJM KJN P

ORDER

Plaintiff is a civil detainee, proceeding without counsel, with a civil rights action. For the reasons stated herein, plaintiff is granted thirty days to file a notice of breach of plea agreement in the United States District Court for the Northern District of California.

On February 16, 2023, the undersigned ordered plaintiff to file further briefing in support of his in forma pauperis application. (ECF No. 13.) Plaintiff's trust account statement indicated that as of September 20, 2022, plaintiff had \$5221.90 in his trust account. (*Id.* at 1.) The undersigned ordered plaintiff to file further briefing addressing the source of various deposits to his trust account. (*Id.* at 4-5.)

On June 5, 2023, plaintiff filed briefing addressing his in forma pauperis application. (ECF No. 18.) In this briefing, plaintiff does not address the source of various deposits to his trust account. Instead, plaintiff claims that the Honorable Robert Illman ordered Deputy Attorney General John Falconer to "clear up" all of plaintiff's filing fees in the United States District Court

1 for the Eastern District as part of a settlement agreement reached in a case proceeding in the
2 Northern District. (Id. at 4-5.) Plaintiff requests that the court investigate this matter. (Id.)
3 Plaintiff does not identify the case number of the Northern District case referenced in his June 5,
4 2023 briefing.¹

5 The undersigned has no authority to enforce the plea agreement allegedly reached
6 between plaintiff and the Office of the Attorney General in the Northern District case. Plaintiff's
7 remedy for an alleged breach of this plea agreement is to file a notice of breach of plea agreement
8 in the Northern District case.

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. Within thirty days of the date of this order, plaintiff shall file a notice of breach of
11 plea agreement in the Northern District case where the Office of the Attorney General
12 allegedly agreed to pay the filing fee in the instant action; within thirty days of the
13 date of this order, plaintiff shall proof of service in the instant action of the notice of
14 breach of plea agreement filed in the Northern District case;

15 2. If plaintiff fails to comply with this order, the undersigned will disregard plaintiff's
16 claim that the Office of the Attorney General agreed to pay the filing fee in this action
17 in the settlement agreement reached in the Northern District case.

18 Dated: June 29, 2023

19 
20 KENDALL J. NEWMAN
21 UNITED STATES MAGISTRATE JUDGE

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25 ¹ Records from the Northern District reflect that Magistrate Judge Illman conducted a settlement
26 conference in several of plaintiff's cases on April 13, 2023, i.e., 2: 20-cv-5900 YGR, 20-cv-6557
27 YGR, 20-cv-7375 YGR, 21-cv-2431 YGR, 21-cv-3189 YGR and 21-cv-5230 YGR. Records
28 from the Northern District reflect that these cases settled and the parties filed stipulations to
dismiss, signed by plaintiff and Deputy Attorney General John Falconer, on or around April 14,
2023.